

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

TRIBAL COUNCIL STANDING COMMITTEES MEETING POLICY AND PROCEDURES

I. PURPOSE

The purpose of this Policy is to establish procedures governing the conduct of meetings of the Tribal Council Standing Committee(s) (Committee), relating to the implementation of powers vested with the Committee by Tribal Council Resolution, and to clarify those procedures in order to facilitate the meeting process.

II. DEFINITIONS

For purposes of this Policy, certain terms are defined in this section. The word “shall” is always mandatory and not merely advisory.

1. **Call of Meeting:** The action taken by the person or persons who is (are) properly authorized to bring an official meeting of the Committee into existence.
2. **Closed Session:** Any portion of a meeting which is closed to the public to address personnel, business, or legal matters pursuant to Article VII, § J (9) of the Constitution.
3. **Committee Chair:** Shall be appointed by Tribal Council who shall facilitate the meetings as charged by Tribal Council Resolution.
4. **Committee members:** Are as defined through Tribal Council resolution.
5. **Constitution:** The Constitution of the Little Traverse Bay Bands of Odawa Indians adopted February 1, 2005.
6. **General Session:** A prearranged gathering of the Committee.
7. **Little Traverse Bay Bands of Odawa Indians:** LTBB, Tribe.
8. **Majority vote:** A vote of a majority of the Committee members present at meeting where there is a quorum.
9. **Draft Meeting Minutes:** The “unofficial” meeting minutes.
10. **Approved Minutes:** The official record of what is said or done at a Committee meeting; including but not limited to the date and time the meeting occurred, the call to order, roll call, motions or proposed motions, seconds, etc., as certified by the Committee Chair.
11. **Motion:** A proposal for action made by one (1) Committee member and seconded by another Committee member.
12. **Notice of Meeting:** The official posting of the date, time, and place for a meeting of the Standing Committee.
13. **Quorum:** Two (2) Committee members shall constitute a quorum.
14. **Record:** An official document or writing, including but not limited to the approved Agenda for the Committee meeting, the approved minutes of the Committee meeting, as well as any resolution(s), statutes or motions proposed by the Committee, or any documents, reports, etc. accepted by the Committee and recorded in the minutes.

15. **Resolution:** A document that can stand alone as a representation of the Committee's actions, and generally contains Whereas, Resolves, Finally Resolved and a certification.
16. **Statute:** A law duly enacted by the Tribal Council pursuant to Constitution article VII, § D.
17. **Tribal Citizen:** An enrolled member of the Little Traverse Bay Bands of Odawa Indians.
18. **Tribal Council:** The legislative body described in Article VII, § A of the Constitution.

III. **STANDING COMMITTEE MEETINGS; AUTHORITY TO CALL; NOTICE REQUIREMENTS**

1. **Regular Meetings.** Those meetings of the Committee, at which official business is transacted.
 - a. **Publication and Notice.** The schedule of regular meetings shall be published by the Committee and shall be posted at the Tribal Government Complex, on the Tribal government website, and at other Tribal government offices.
 - b. **Change in Meeting Schedule.** Change may be made in the date or time for any regular meeting and notice of any changes in the meeting schedule shall be published in the locations set out in article III, § 2(d) of this Policy. The Committee may change the location for a regular meeting, if circumstances reasonably require, provided notice of the change is posted at the scheduled meeting location and at the Tribal Government Complex. Notice of changes to meeting schedules must be made five (5) days prior to the meeting.
2. **Special Committee Meetings.** Meetings of the Committee called for a special purpose and shall be restricted to the specific purpose for which the meeting was called.
 - a. **Authority to Call.** A special meeting of the Committee may be called by the following persons:
 - i. Committee Chair.
 - ii. A majority of the Committee, which means at least two (2) of the Committee members.
 - b. **Scheduling.** The date, time, place, for all Special Meetings of the Committee shall be scheduled by the Committee Chair following the receipt of a Request for a Special Meeting.
 - c. **Notice.** The Committee Chair, or the Committee Chair's designee, shall provide notice of Special Meetings. Notice of the meeting shall include the time, date, and location of the meeting and shall include the purpose(s) for which the special meeting has been called.
 - i. **Notice to Committee members.** Notice of a Special Meeting shall be given to all Committee members at least five (5) days in advance of the Special Meeting. Notice shall be given through verbal and written means. Written means includes electronic mail, electronic facsimile or standard mail.
 - ii. **Sufficiency of Notice.** Notice of a special meeting shall be considered

A. A Committee member is contacted directly via telephone and informed of the meeting verbally; or

- d. Publication.** The date, time, and place for each Special Meeting, together with a description of the purpose of the Special Meeting shall be posted at the Tribal Government Complex and when possible in the Odawa Register or other similar Tribal publication. Agenda items shall be described with sufficient specificity so as to provide Tribal Citizens with reasonable notice of the purpose of the Special Meeting.

a. Authority to Call. An Emergency Meeting of the Committee may be called by the following persons:

- A.** A Request for an Emergency Meeting may be presented by one (1) Committee member with written support of at least one (1) other Committee member.

- i. Submitting a written Request for an Emergency Meeting to the Committee Chair. The Request for an Emergency Meeting shall indicate why an Emergency Meeting is necessary.

- c. **Scheduling.** An emergency meeting of the Committee shall be scheduled by the Committee Chair upon receipt of Call for an Emergency Meeting. The Committee Chair, or the Committee Chair designee, must schedule an Emergency Meeting as soon as is reasonably possible but in no case more than twenty-four (24) hours from the time a Request for an Emergency Meeting is received.

- i. **Sufficiency of Notice.** Notice of an Emergency Meeting shall be considered given when:

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1. In the event three (3) successive attempts at reaching a Committee member are unsuccessful and three messages are left containing all the elements required by § III(3)(d) notice shall be considered given.
- B. An electronic mail containing all the elements required by § III(3)(d) is sent to an email address provided by a Committee member; or
- C. An electronic facsimile containing all the elements required by § III (3)(d) is sent to a fax number provided by a Committee member.
- e. **Location.** To the greatest extent possible, Emergency Meetings shall be held at the Tribal Administration building, however, “Emergency Meetings may be conducted by phone conference or with the aid of other communication technology as may be available and in common use.” Constitution article VII, § J (6).
- f. **Publication.** A statement regarding the date, time, and purpose of an Emergency Meeting shall be entered into the minutes of the next regularly scheduled Committee meeting.

IV. STANDING COMMITTEE MEETING AGENDAS

1. Setting the Agenda.

- a. **Agenda Requests.** Any Committee Member, Tribal Councilor, the Executive, or Tribal citizen may request consideration and action by the Committee by completing an agenda request form and submitting such form to the Legislative Office Manager. Agenda requests should include the following supporting information:
 - i. A description of the issue (including any supporting documentation);
 - ii. Whether any action (motion, resolution, statute, etc.) is requested;
 - iii. The need for such action;
- b. **Agenda Request forms.** The Legislative Office Manager shall develop any forms necessary to implement article IV, § 1 and shall notify Tribal citizens and Tribal government employees of the availability of such forms and the procedures by which an item may be placed on the Committee’s agenda for discussion and/or action.
- c. **Submission of Agenda Request.** Agenda requests shall be submitted to the Legislative Office Manager at least five (5) days prior to a regularly scheduled Committee meeting.
- d. **Amendment of the Agenda.** The agenda may be amended according to the procedures set out in article VI, § 3 of this Policy.
- e. **Carry-over Agenda.** Any item placed on the Committee agenda which is not acted on, or tabled prior to the conclusion of the meeting is considered to be removed from that meeting’s agenda. Any item that is removed from the agenda

shall be carried-over to the next meeting's agenda.

f. Exceptions.

- i. Closed Session:** A request for Closed Session may be made by any member of the Committee, or by the Executive branch. The general item, matter, or issue (i.e. legal matter, confidential business, personnel, etc.) that will be discussed in Closed Session shall be placed on the agenda.

- 2. Agenda for Regular Meetings.** The agenda items for all regular meetings shall be limited to those items placed on the proposed agenda; provided however that Committee member may amend the proposed agenda prior to adopting it.
- 3. Agenda for Special Meetings.** The agenda items for all special meetings shall be limited to those specific items included on the special meeting notice published in accordance with article III, § 2(d) of this Policy.
- 4. Agenda for Emergency Meetings.** The agenda items for all emergency meetings shall be limited to those specific items which necessitated an emergency meeting.

V. STANDING COMMITTEE AGENDA

The Committee will have the following standardized agenda that may be amended or modified by the Committee:

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of the Minutes
- V. Public Comment
- VI. General Session
 - 1. Old Business
 - 2. New business
 - 3. General Discussions

- a. Set Next Meeting Date

VII. Adjourn

VI. STANDING COMMITTEE MEETING PROCEDURES

1. Call to Order.

- a.** The Committee Chair shall call Committee meetings to order.

2. Roll Call.

- a.** The Chair shall take a roll call of Committee members after a meeting has been called to order.
- b.** Based on the results of the roll call the Chair will announce whether or not there is quorum.

3. Adoption of Agenda.

- a.** The proposed agenda for that meeting shall be adopted by a majority vote.
 - i.** Upon adoption the proposed agenda shall be considered the official agenda of the meeting.
- b.** The proposed agenda may be adopted as presented or adopted with amendment.
 - i.** Committee members may propose to amend the proposed agenda by adding items to the proposed agenda, or removing items from the proposed agenda.
 - ii.** An amendment to the proposed agenda must be approved by a majority of the Committee members present at the meeting.
 - iii.** The agenda for special meetings and emergency meetings shall not be amendable.
- c.** Only items appearing on the official agenda shall be addressed during the meeting.
 - i.** **Exceptions:** Items which are not on the official agenda that relate to an issue or matter which threatens or jeopardizes the health, safety, or general welfare of the Tribe or its citizens may be addressed during the meeting if:
 - a)** A majority of the Committee members present at the meeting determine that the proposed item meets the requirements of an emergency; and
 - b)** A motion is passed which allows the item to be discussed.

4. Adoption of minutes.

- d.** The minutes of the previous regular meeting may be approved as presented or approved with amendment.
 - i.** Committee members may propose to amend the minutes by adding or deleting material from the presented minutes.
 - ii.** An amendment to the presented minutes must be approved by a majority of the Committee Members. The minutes of the previous regular meeting(s) shall be approved by a vote of the Committee Members.
 - i.** Upon approval and certification the presented minutes shall be considered the official minutes of the previous meeting(s).

5. Old Business Agenda Items.

- a. Any items which were not acted on or tabled from the previous meeting may be acted upon by the Committee at the next regular scheduled meeting.
 - b. Items in the Old Business section on the Agenda may be tabled.
- 6. **Resolutions Recommendations and Policies.**
 - a. Each Committee Resolution, Recommendation and Policy on the agenda for consideration shall be introduced by either a member of the committee or by the Committee Chair.
 - b. The Committee Chair shall then entertain discussion, and/or motions for action, on the agenda items under consideration.
- 7. **Proposed Legislation.**
 - a. Each piece of proposed legislation on the agenda for consideration shall be introduced by either a member of the committee or by the Committee Chair.
 - b. The Committee Chair shall then entertain discussion, and/or motions for action, on the agenda items under consideration.
- 8. **Standing Committee Reports.**
 - a. **Committee Chair**
 - i. The Committee Chair shall submit a Standing Committee report to the Tribal Council along with recommendations for resolutions, policies or legislation.
 - ii. The Committee Chair report should also discuss any matter or issue relevant to the functions delegated to the Standing Committee by the Tribal Council and shall include any pertinent documents.
 - b. **Closed Session.**
 - i. Closed Session is reserved for items or issues that raise significant privacy or confidentiality concerns; i.e. personnel matters, litigation, business matters, proprietary information, legal matters, and other matters as may be defined by relevant statute.
 - ii. A request for Closed Session must be made in accordance with the procedures set out for placing items on the agenda in article VII of this policy or by motion during General Session.
 - iii. **Closed Session Minutes.** Minutes shall be kept for Closed Sessions. Closed Session minutes shall be disclosed to the public in accordance with article VII of this Policy.
 - iv. **Resolutions; Motions; Other Actions.** Resolutions, motions, or other actions taken during a closed session shall be disclosed to the public in accordance with article VII of this Policy.
 - c. **Adjournment.**
 - i. The Committee Chair or designee may call for a motion to adjourn the meeting. The motion to adjourn must be approved by a majority vote of the Tribal Council members present at the meeting.

VII. CLOSED SESSIONS

1. **Closed Sessions Authorized.** Pursuant to Constitution article VII, § J (9) the Standing Committee as a sub-entity of the Tribal Council may meet in Closed Session to address personnel matters, confidential business matters, proprietary interest, legal matters, other matters that raise significant confidentiality or privacy concerns, and other matters as may be defined by relevant statute. All or part of a meeting may be held in Closed Session.
2. **Purpose.** Closed Sessions are intended to permit the Standing Committee to engage in open and frank discussion regarding matters that require confidentiality, involve proprietary business matters, personnel, or litigation and litigation strategy and other matters as may be defined by relevant statute.
3. **Calling for Closed Session.** There are two methods for calling for Closed Session:
 - a. **Motion to Move to Closed Session.**
 - i. During the meeting a member of the committee may make a motion to move to Closed Session.
 - ii. If the motion to Move to Closed Session passes the meeting shall immediately move to Closed Session and shall be conducted in accordance with the procedures in this Policy.
 - b. **Agenda Request.**
 - i. Pursuant to article IV, § 1(f) of this Policy a Committee member or the Executive may make an agenda request for a Closed Session.
 - ii. Agenda requests shall indicate the necessity for a Closed Session and shall indicate the item(s) to be discussed.
4. **Disclosure of Closed Session Minutes:**
 - a. Minutes shall be kept of all Closed Sessions. These minutes should reflect the items discussed and any action taken on an item.
 - b. Closed Session Minutes shall be placed in a sealed file marked “Confidential” and shall be maintained by the Legislative Office Manager.
 - i. Access to Closed Session Minutes which are sealed shall be limited to sitting Tribal Council Members and Legislative Office staff with the following exceptions:
 - a) The Executive may access the minutes of closed sessions in which the Executive participated, upon approval of the Tribal Council.
 - b) The Executive Branch Legal Department may be authorized to access the minutes of closed sessions upon approval of the Tribal Council. Access to closed session minutes shall be limited to consultative or guidance purposes, and shall be subject to the attorney/client privilege.
 - c. Minutes from a Closed Session shall be disclosed to the public two (2) years from the date the Closed Session was held; with the following exceptions:
 - i. Items relating to litigation or litigation strategy shall not be disclosed until the litigation has concluded.
 - ii. A determination that disclosure of an item may endanger the health or safety of any person. Such a determination must be made by a super-majority (seven (7) of nine (9)) of the Tribal Council.

